

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HUAWEI TECHNOLOGIES CO. LTD,	§	
	§	Case No. 2:16-CV-00052-JRG-RSP
v.	§	Case No. 2:16-CV-00055-JRG-RSP
	§	Case No. 2:16-CV-00056-JRG-RSP
T-MOBILE US, INC., T-MOBILE U.S.A.,	§	Case No. 2:16-CV-00057-JRG-RSP
INC.,	§	

**ORDER**

Huawei moves to supplement the record with evidence related to its motion for summary judgment on T-Mobile's counterclaims and affirmative defenses. Though the motion was filed as opposed, the Court considered the supplement in its relevant Report and Recommendation, but the supplement did not affect the Court's recommended disposition. The recommendation has now been adopted by the district court, and Huawei's motion for summary judgment has been denied. Consequently, the summary judgment record is largely a moot issue. *See Nissim Corp. v. ClearPlay, Inc.*, 558 F. App'x 1025, 1027 (Fed. Cir. 2014) (denial of summary judgment not appealable final judgment). The Court nevertheless considered the supplement.

Accordingly,

It is **ORDERED**:

Huawei's motion to supplement the record is **GRANTED**.<sup>1</sup>

**SIGNED this 9th day of September, 2017.**

  
\_\_\_\_\_  
ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE

---

<sup>1</sup> Dkt. 342 in Case No. 2:16-cv-00052  
Dkt. 318 in Case No. 2:16-cv-00055  
Dkt. 304 in Case No. 2:16-cv-00056  
Dkt. 302 in Case No. 2:16-cv-00057